

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT SHEAFFER,

Plaintiff,

v.

GLENDAL NISSAN, INC.,

Defendant.

Case No. 19-cv-03899

Honorable Judge Sara L. Ellis

**MOTION TO VOLUNTARILY DISMISS COUNT VII OF PLAINTIFF'S COMPLAINT
IN ACCORDANCE WITH F.R.C.P. 41(A)(2)**

Now comes Robert Sheaffer, by and through his attorneys, The Law Offices of Eugene K. Hollander, and for his Motion to Voluntarily Dismiss Count VII of his Complaint In Accordance With F.R.C.P. 41(A)(2), states as follows:

1. Plaintiff has alleged a number of causes of action in his employment law Complaint. Count VII alleged a claim under the Illinois Wage Payment and Collection Act.

2. On January 15, 2021, defense counsel sent the undersigned counsel a letter, in accordance with this Court's Standing Order, indicating Defendant's intention to move for summary judgment on two counts of Plaintiff's Complaint.

3. The parties subsequently had a meet and confer, and Plaintiff indicated his intention to voluntarily dismiss Count VII of Plaintiff's Complaint in order to avoid unnecessary motion practice before this Court.

WHEREFORE, the Plaintiff, Robert Sheaffer respectfully prays that this Honorable Court grant his Motion to Voluntarily Dismiss Count VII of Plaintiff's Complaint.

Respectfully submitted,

**Plaintiff,
ROBERT SHEAFFER,**

By: /s/ Eugene K. Hollander
One of his attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that he caused copies of **Plaintiff's Motion to Voluntarily Dismiss Count VII of his Complaint In Accordance With F.R.C.P. 41(A)(2)** to be served upon the following by filing same using the Court's CM/ECF system on this 1st day of February, 2021 before 6:00 p.m.:

Ms. Elizabeth Pall
Mr. Ira Levin
Burke, Warren, MacKay & Serritella, P.C.
330 North Wabash Avenue
Suite 2100
Chicago, Illinois 60611

/s/ Eugene K. Hollander